

*Drzaic, et al.*  
*Serial No. 09/289,507*  
*Amendment After Final Rejection of March 30, 2005*  
*Page 5*

**REMARKS**

The foregoing amendments cancel claims 111-113 and 120-122.

The objection to the drawings set out in Paragraph 2 of the Office Action was applied only to claims 111-113 and 120-122, which have now been cancelled. Accordingly, this objection is now moot. Similarly, the 35 USC 112 rejection set out in Paragraphs 3 and 4 of the Office Action was applied only to claims 111-113 and 120-122, and is now moot in view of the cancellation of these claims.

In response to the double patenting rejection set out in Paragraphs 5 to 7 of the Office Action, there is filed herewith a Terminal Disclaimer (together with a Fee Transmittal in payment of the fee therefor) disclaiming any portion of any patent granted on the present application which extends beyond the term of U.S. Patent No. 6,864,875, issued on the Application Serial No. 10/145,861 mentioned in the Office Action. It is noted that Application Serial No. 10/145,861 was a continuation of Application Serial No. 09/463,303, filed November 8, 1999, which was itself a divisional of the present application. Hence, U.S. Patent No. 6,864,875 was assigned to E Ink Corporation by the assignment (recorded at Reel 10333, Frames 909-912) for the present application and that patent and the present application are necessarily commonly owned. This Terminal Disclaimer is sufficient to overcome the double patenting rejection, as stated in Paragraph 5 of the Office Action.

Reconsideration and allowance of all claims remaining in this application is respectfully requested.

Entry of this Amendment After Final Rejection is solicited on the grounds that it will not require extensive consideration by the Examiner, being confined to cancellation of the claims affected by the objection to the drawings and the 35 USC 112 rejection, and entry of a Terminal Disclaimer to overcome the double patenting rejection, but will place all remaining claims in condition for allowance, thereby avoiding the need for an appeal.

**BEST AVAILABLE COPY**

*Drzaic, et al.*

*Serial No. 09/289,507*

*Amendment After Final Rejection of March 30, 2005*

*Page 6*

Since the shortened statutory period for responding to the Office Action expired March 7, 2005, there is filed herewith a Petition for a one-month extension of this period.

Respectfully submitted



David J. Cole

Registration No. 29629

E INK Corporation  
733 Concord Avenue  
Cambridge MA 02138

Telephone (617) 499-6069  
Fax (617) 499-6200  
E-mail dcole@eink.com